

Serial No.: 10/019,680

### REMARKS

Reconsideration is respectfully requested of the rejection of claims 1-10 under 35 USC §112, first paragraph.

The invention is aimed primarily at separation of blood into components by centrifugation. Specifically, an objective is to obtain components lighter than the red blood cells, particularly plasma and the buffy coat, to increase the yield of the process. While there are several issues to be addressed in this process, one issue is that the respective interfaces between plasma, platelets, white blood cells, and red blood cells are, in practice, somewhat diffuse. Thus, the actual interface may be rather indistinct when one considers it closely, even though it may be possible to determine visually when red blood cells are present by the color of the decanted components. It is, thus, possible as a practical matter as taught by the specification to choose a density and configuration that places at least part of the upper surface of a disk below the interface with red blood cells and into the top of the layer of red blood cells.

Claim 1 has been amended to include language taken directly from the specification at page 6. Claim 1 now recites that at least a portion of the disk that floats in the physiological fluids being subject to centrifugation includes an upper surface that will lie just below the interface with red blood cells. The claim is not limited to a particular disk shape, so long as part of the upper surface of the separating disk lies just below the interface. It is recognized that a part of the disk, such as that shown at 22, may not meet this condition. The specification clearly supports the claim language by the statement on page 6 that the preferred position of the disk is such that an upper surface "lies just below the interface 26 with red blood cells." The specification further

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states "the layer of red blood cells 24 reduces surface tension with platelets to facilitate release of the platelets from the disk."

The specification discloses that a primary purpose of the invention is to decant the separated components that are lighter than the red blood cells and retain the red blood cells in the container after the decant. The specification also makes it clear at page 6 that an objective is to decant the platelets, and that this may also include decanting a small volume of red blood cells. This small volume of red blood cells can actually assist in releasing the platelets from the disk during decanting.

Accordingly, it is submitted that this application is in condition for allowance, and an early indication thereof is respectfully requested. The examiner is invited to contact the undersigned if any matter remains outstanding.

All necessary extensions of time are requested. Please charge any necessary fees and credit any excess to deposit account 50-1088.

Respectfully Submitted,  
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